

**Mura, J David**

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**From:** Mura, J David  
**Sent:** Wednesday, August 14, 2019 4:37 PM  
**To:** Robertson, Cynthia C.  
**Cc:** Schneider, Elizabeth D  
**Subject:** RE: Fluor

Cynthia,

We have run some analysis on the collections so far. For the identified custodians, after removing the communications with Fluor, the volume for the time period up to 12/31/15 is 84,588. When we run your search terms, the volume comes down to 45,690. Based on this, I believe the search is too broad and is resulting in a high number of non-responsive documents. A hit count by search term is below:

<b>Term</b>	<b>Hits</b>	<b>Hits Audited GB</b>	<b>Hits : Fami</b>
Fluor OR "@fluor.com"	10974	1.4398247	
WECTEC	2284	0.480562449	
(terminat* OR exception OR guarantee* OR penalty OR control) w/10 fee	481	0.103749335	
"t for c" OR "termination for convenience"	295	0.043120235	
"CB I" OR CBI	17554	3.683101386	
Vogtle OR Summer OR VCS	15050	3.952812403	
Southern OR SCANA OR "Santee Cooper" OR "Georgia Power"	6699	2.215150744	
Bluefin OR Blufin OR Actress*	11693	1.303572208	
Dunning OR Tye OR Lackey OR Dempsey OR Biggs OR Porter OR Flowers OR McSorley	2778	0.596605241	
D2 OR DRD	465	0.41089952	
Bechtel	669	0.232737511	
STP OR "South Texas Project"	530	0.278744847	

As an example, using a term like "CBI" will pull in virtually any email to or from a CBI employee or discussing any project issue relating to CBI's work. Clearly such emails have no relation to the negotiation of the Fluor subcontract termination and fee provisions.

I propose narrowing the search to the highlighted terms above, which seem more than adequate to capture communications regarding the Fluor negotiations. Please let us know what you think.

Thanks.

**J. David Mura, Jr.**

Sr. Counsel  
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**From:** Robertson, Cynthia C. <cynthia.robertson@pillsburylaw.com>  
**Sent:** Wednesday, August 7, 2019 3:56 PM  
**To:** Mura, J David <murajd@westinghouse.com>  
**Subject:** RE: Fluor

[External Email]

Thanks, Dave. Yes, we are going to send you search terms – I'm still working on terms for the post-2015 time frame, since they're more difficult to pin down.

In the meantime, for David Durham in 2015 - based on his testimony, I believe he was hired (in July 2015) for the immediate purpose of leading the negotiations with Fluor, and that these were his sole focus at least through the end of 2015. Therefore keywords are probably not appropriate for him during that period. (Let me know if we're talking an exceedingly high number of emails for this period, but based on what Mr. Durham testified, he did not think there were.) I understand that after the original contracts were signed, Mr. Durham took on other duties (most of which are not relevant to the case), so will provide keywords for him for Jan. 1, 2016 forward.

For the other custodians, for the date ranges in 2015 that I previously gave you, I think we can work with:

Fluor OR \*@fluor.com

WECTEC

(terminat\* OR exception OR guarantee\* OR penalty OR control) /10 fee

"t for c" OR "termination for convenience"

CB&I OR CBI

Vogtle OR Summer or VCS

Southern OR SCANA OR "Santee Cooper" OR "Georgia Power"

Bluefin OR Blufin OR Actress\*

Dunning OR Tye OR Lackey OR Dempsey OR Biggs OR Porter OR Flowers OR McSorley

D2 OR DRD

Bechtel

STP or "South Texas Project"

There may well be other terms, but these seem like they should capture the core documents for the 2015 period, based on what I have seen so far from WEC. I'll revert back soon with suggested terms for the later periods – but there's no reason to hold off on these now.

Thanks,  
Cynthia

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**From:** Mura, J David <[murajd@westinghouse.com](mailto:murajd@westinghouse.com)>  
**Sent:** Tuesday, July 30, 2019 1:19 PM  
**To:** Robertson, Cynthia C. <[cynthia.robertson@pillsburylaw.com](mailto:cynthia.robertson@pillsburylaw.com)>  
**Subject:** Fluor

**\* EXTERNAL EMAIL \***

Cynthia,

As discussed the other day, I can confirm that we will be able to create a log of the emails designated as privilege from the collections we have. I understood you were going to send some suggested search terms, but have not seen anything yet. Were you still going to do that?

Thanks.

**J. David Mura, Jr.**

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